

WON'T REOPEN BEATTIE CASE

PROSECUTOR FEELS SURE OF PRISONER'S CONVICTION.

Will Hold Newly Discovered Witness for Use in Another Trial in Case Jury Fails to Reach a Verdict—Court's Charge Leaves No Room for Reversal.

CHESTERFIELD COURT HOUSE, Va., Sept. 7.—Louis O. Wendenburg, Commonwealth's prosecutor in the trial of Henry Clay Beattie, now nearly completed, received word to-day from Chicago confirming his belief in the credibility of the twelfth hour witness who wrote to him saying that he had seen the murder of Mrs. Beattie on Midlothian turnpike.

It is believed that Wendenburg has sent a request to the chief of police of Chicago to hold this witness until he receives further word. In a long conversation over the telephone Luther Scherer, chief of the prosecution detectives, received from a lawyer in Chicago who had examined the volunteer witness sufficient verification of the truth of the man's story to cause Wendenburg to act immediately.

Wendenburg said to-night that he would make no move to reopen the case of the prosecution and put this new witness on the stand. He believes that his case is strong enough to secure a conviction without this dramatic introduction of an eyewitness story at the last minute.

But he is preparing to have the man in Chicago who so minutely described the incidents of the killing on the Midlothian turnpike brought on here to be used against Beattie in case the jury in the present trial fails to reach an agreement.

The prosecutor does not feel that the chance of an acquittal is great enough to warrant him delaying the trial for the number of days necessary to bring the witness on from Chicago and put him on the witness stand.

It was learned indirectly to-day that the man Wendenburg wants held is at the Great Northern Hotel in Chicago, but whether in the capacity of an employee or as a guest was not discovered. His name Wendenburg and his detective are keeping secret.

There is every indication that Beattie's case will go to the jury to-morrow night. Two of the lawyers finished their summing up speeches to-day after the little brick court house had bulged for seven hours with oratory.

To-morrow Harry Smith will say the last word for the accused and Wendenburg will round off the case for the Commonwealth. Since Judge Watson charged the jury to-day the jury will be able to retire as soon as Wendenburg finishes his summing up. That will probably be some time late to-morrow afternoon.

Beattie's two lawyers could not conceal their delight over the tenor of Judge Watson's charge to the jury. Laymen and visiting lawyers who heard it were both struck with the strong admonitions favorable to the defendant which were included therein. Though there was no hint of favor in the long charge Judge Watson left no opportunity for a reversal by the Court of Appeals because of failure to safeguard every possible right of the accused.

He dwelt at length upon the import of circumstantial evidence which is the only kind of evidence that has been entered against Beattie in this case. Upon this point he gave the following caution:

"Circumstantial evidence, if it be of such weight and character as to exclude every hypothesis other than that the accused is guilty, is entitled to the same credit as direct and positive testimony. But it must always be seen with great caution and can never justify a verdict of guilty, especially in a case where the penalty may be death, unless the circumstances proved are so numerous and so weighty as to force a fair and unprejudiced mind to a moral conviction of the guilt of the accused beyond any reasonable doubt."

"And unless the jury believe that each and every circumstance essential to convict has been made out and established beyond reasonable doubt, such evidence is not sufficient to support a verdict of conviction."

Judge Watson also drove hard at the strongest point in the Commonwealth's case when he alluded to the value the jury was to place upon the alleged confession Henry Beattie made to his cousin Paul two nights after the murder, wherein he said, according to Paul Beattie's testimony, that he would "give \$1,000,000 if this thing could be undone." He cautioned the jury that "the confessions of a prisoner out of court are a doubtful species of evidence and should be acted upon by the jury with great caution, and if the facts brought out in the alleged confessions are favorable or advantageous to the witness detailing the confession, then the jury ought not to convict upon such confession alone unless, after a careful examination of the same and all the circumstances under which it was made, they are satisfied beyond a reasonable doubt of its truth and that they may safely rely upon it."

Already all of Richmond, which has been absorbed to the point of obsession by the details of the Beattie case, has begun to speculate upon what the verdict will be. Prophecy seems to be fairly divided between a hung jury and conviction. Very few expect an acquittal. In several of the downtown saloons handbooks on the verdict were started to-day and there were many bettors. The odds in the chief gathering places of the sports were 6 to 5 for conviction and one could take the short end of a 10 to 1 bet that Beattie will walk out of the Chesterfield court house free.

Reulah Binford, the girl whose name has been so closely linked with that of the prisoner during the trial, and Paul Beattie, the cousin, were both released from the Henrico county jail in Richmond this morning. They had been held there for over a month as Commonwealth witnesses.

Reulah Binford would not leave the jail after the order for her release came until almost time for the departure of the noon train for Washington and New York. Then she hurried down to the station by taxicab in the company of a New York vaudeville booking agent who expects to turn her unsavory notoriety into cash as a vaudeville attraction in New York unless Mayor Gaynor should forbid her appearance there. Richmond papers are prophesying that he will.

BEULAH BINFORD HERE.

Young Woman Who Figured in the Beattie Case in Town.

Beulah Binford, who figured in the Beattie murder trial, got to town last night and said that she will pose for moving picture shows, which her manager says will be "strictly moral and will teach lessons from real life."

The girl said that after this is over she

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will go into vaudeville. She says she wants to be good and that is the reason she came to New York so that she could "have a chance," as she said. She repeatedly said that Henry Beattie was innocent and had nothing to do with his wife's murder.

She said again as she has said in the Virginia jail that she did not love Beattie any more than lots of other young men whom she had known. She was glad to get out of Richmond, which she said was a hard town.

MOROCCO DETAILS UNSETTLED.
France and Germany Agree in Principle. However—Europe Very Nervous.

Special Cable Despatches to THE SUN.
BERLIN, Sept. 7.—The French Ambassador, M. Jules Cambon, was closeted this evening with Herr von Kiderlen-Wachter, the German Foreign Minister, and it is understood that Kiderlen-Wachter gave to M. Cambon Germany's reply to France.

Absolute official secrecy is maintained, but the most trustworthy reports are extremely optimistic. According to one of these there is still a wide difference between the German and French points of view, but the differences are in matters of detail rather than essential.

There is extreme nervousness on the Continent and there have been runs on savings banks in many cities. According to the newspapers the German naval maneuvers that were fixed to take place around Danzig have suddenly been transferred to the Skagerrack. There have been frequent protests that the fleet was centered in the mid-Baltic, leaving the North Sea dangerously bare of warships.

LONDON, Sept. 7.—The Daily Mail this morning gives prominence to a statement from an anonymous diplomatic correspondent who says that France's sacrifice of territory in the Congo, though less than Germany demanded, is of such extent that it will surprise and perhaps exasperate the French people, but the compensation will be found in the conditions that France insists upon in Morocco.

France proposes that the new agreement take the form of a treaty of convention signed by European Powers and the United States. If Germany consents Austria and Italy will consent, Great Britain and Russia having already assented.

As to the terms of the treaty the correspondent says they are more precise than the Franco-German agreement of 1900, acknowledging not merely France's political interest in Morocco but also her military interests, giving necessary guarantees of the open door. Any dispute over the interpretation of the treaty would not be referred to Germany alone but to the European Powers and the United States.

PARIS, Sept. 7.—The Liberté says Germany intends to take advantage of the present French optimism in regard to a settlement of the trouble over Morocco by exacting a concession in the Congo by the southwest corner of Gabon, in the French Congo near the mouth of the Muni River, to the Congo at the mouth of the Alima, following the north banks of the Ogowe and Alima rivers. This France will positively refuse to grant.

FRANCE NEEDS U. S. CATTLE.
Solution of High Food Prices—Advance in National Budget.

Special Cable Despatches to THE SUN.
PARIS, Sept. 7.—The Cabinet at its meeting to-day approved the budget for 1912. It carries appropriations amounting to 4,503,817,587 francs, or about \$900,763,517, an increase over the expenses provided for this year of 173,000,000 francs, about \$34,600,000.

Premier Caillaux submitted a project which will allow communes the privilege of operating municipal butcher stores and tenement houses and in this way keep down the price of meat and rents.

MM. Couvry and Pams, the Ministers of Commerce and Agriculture, made a report on their investigation of the present high cost of living. They say that the same conditions prevail throughout Europe. They think the solution in France should consist in facilitating the importation of colonial cattle and simplifying the regulations governing the importation of American cattle.

The Government's decision to withdraw drastic regulations regarding the importation of cattle caused an immediate fall of five cents a pound in the price of beef. The decision includes cattle from Argentina. Large shipments of cattle will be rushed to France at once from Buenos Ayres.

The dear food riots at Lille, Roubaix and Brest have become aggravated. Shops have been pillaged and there have been many battles between the police and the rioters. The movement is extending.

Spokane Soprano in "La Sonnambula."
Special Cable Despatches to THE SUN.

VITERBO, Sept. 7.—Clara Cunningham, the Spokane soprano, made her debut here to-night in the leading soprano's part in "La Sonnambula." She enjoyed a cordial reception and was encored again and again.

Heir Dies Long After Fall.
Special Cable Despatches to THE SUN.

LIMA, Peru, Sept. 7.—The aviator Tonaud died here this afternoon as the result of a fall which he had on January 3 last.

Grand Jury Wouldn't Indict Him for Coming to Town With a Shotgun.

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Dominic was arrested outside the Liberty street ferry house by Police Officer Baumbarger of the Greenwich village station for carrying a shotgun. The new law makes it a felony for a person not a citizen to carry a dangerous weapon of any sort in the street. The Grand Jury refused to believe Dominic was guilty of a felony and threw out the case. He took his gun away with him.

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MUSTN'T CARRY SHAVING TOOLS

FOR IT'S CONTRARY TO POLICE IDEA OF WEAPON LAW.

Joy Seeking Painter Charged With Crime When His Razor Comes to Light—Cop Told That Boy Owns Revolver Searches Room and Makes Arrest.

All the honors and fame that go with being the first citizen of New York to be pinched under the new Sullivan anti-pistol law for having a razor in one's bureau drawer were showered last night upon Albert Barrett, a sixteen-year-old clerk, by Patrolman Brick of the old West Twentieth street police station.

Pawnbrokers have been arrested for having revolvers in stock and an Italian carrying a shotgun was gathered in and yesterday turned loose, but Barrett claims the honor of being the first to have a razor come right into the bedroom and search the furniture.

Right on top of this a man who said he was Charles White of 32 East Fourteenth street, arrested at Twenty-ninth street and Sixth avenue by Policeman Curtin of the Tenderloin station, who decided that White was carrying too heavy a load and needed a chance to rest.

Up, he found to have concealed on his person a stick of shaving soap, a shaving brush which was moulted and an unsafe razor. And straightaway the charge of intoxication was changed in the case of Mr. White to the graver charge of carrying a concealed razor, which Lieut. Morris decided looked like a felony.

The janitor of the furnished room house at 210 West Twenty-first street where Barrett, the youth with a revolver in his bureau drawer, lives looked up Patrolman Brick last night to complain about Barrett's revolver.

"There's a young man in our house who goes up on the roof and shoots off a gun every time he thinks of it," the janitor told the cop. "Go up and give him a pinch."

The policeman climbed the stairs to the room described by the janitor. Young Barrett opened the door and immediately grew interested in the policeman's inquiries. No, he said, the janitor was wrong. There was no revolver in the room, Barrett continued. The policeman began to rummage around.

Under a shirt it was a 1½ size with cuffs attached in one of the Barrett bureau drawers the policeman happened upon what at first glance glinted like a .32 caliber revolver, then hefted like a revolver, and which before the evening passed proved to be a revolver. It was loaded.

Policeman Brick arrested the revolver and also took Barrett along to the night court. After Barrett had been led away the janitor of a house across the street said the whole law is bosh and that citizens of the State needn't give the matter a thought, for the reason that a policeman positively cannot enter your house and look for a revolver.

In the case of White, the man with the razor, the police had the thought of anything except to induce Mr. White to sleep indoors instead of on a busy corner where pedestrians might step and slip on him the process of extracting Mr. White's name, business and address was a lengthy one owing to an acute impediment in his speech. When a number of answers had been obtained from him they were carefully sorted out on the desk by Lieut. Morris and by putting two and two together the prisoner's pedigree was hit upon.

And then the usual search. The shaving brush which first was met up with meant absolutely nothing in Lieut. Morris's career because the lieutenant already knew that White is a house painter and is accustomed to brushes. Also the stick of soap was blunt. But in a leather case was the damaging evidence, the razor. If Mr. White had had the razor right to go out and shave, he would not have changed the charge to a felonious violation of the new concealed weapon law. When Mr. White wakes up this morning he, so the police predicted last night, will meet with a surprise.

PISTOL SELLER LOCKED UP.
Pawnbroker Who Had No License to Sell Arms Held for Trial.

Adolph Spiegel, a pawnbroker of 108 Park row, was arrested yesterday charged with violating the Sullivan pistol law by displaying for sale without license thirty revolvers. He was arraigned in the Tombs police court.

"Have you a license?" asked Magistrate O'Connor. Spiegel said he hadn't. "Then this is a clear violation of the law," said the Magistrate. "You are held in \$500 bail for trial in Special Session. This court has a good chance for you to test the law."

"I wouldn't spend three cents to test the law," said the pawnbroker. He went to the Tombs in default of bail.

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GEISEL'S POSTAL CAMPAIGN

DESIGNED TO DRIVE DR. CONOVER FROM THE MINISTRY.

His Grievance Is That the Bernardsville Rector Refused to Wed Him to the Woman of His Choice—Threat Mailed to Many Persons, but Stopped.

Theodore Homer Geisel, who lives with his mother and a brother, the Rev. George M. Geisel, assistant rector of the Protestant Episcopal Church of the Holy Apostles in Basking Ridge, N. J., has announced by postcard that he will devote the rest of his life if need be to driving from the ministry the Rev. Dr. T. A. Conover, rector of St. Bernard's Church in Bernardsville, because Dr. Conover refused to unite him in marriage with the girl of his choice, Miss Anna Catherine Turner of Sioux City, Ia.

Geisel says that on Wednesday last he and Miss Turner went to the office of Assessor Joseph E. Buck in Bernardsville and got a license to marry, but decided to wait until the next day for the ceremony. They stayed, not as husband and wife, Geisel says, at the Bernards Inn in Bernardsville. In the evening, according to Geisel, he and the girl went to the home of Charles Pfadenhauer, a contractor and builder living on Essex avenue in Bernardsville, and he invited them to have the wedding at his home that night. They were afraid the clerk of the hotel would not sit up for them, they said, and they went away.

On Thursday morning, Geisel says he happened to meet on the street the Rev. Harold John, curate of St. Mark's Church at Basking Ridge, who promised to marry them at 3 o'clock that afternoon. Geisel says he thought at the time that the curate asked too many questions and didn't seem satisfied, so later meeting the Rev. Thomas C. Crawford, pastor of the Methodist Church of Bernardsville, he got him to agree to perform the ceremony at 1 o'clock. But about noon, Geisel says, the Rev. Mr. Crawford called him up and said he could not officiate at the wedding. The Rev. Mr. John, according to Geisel, was angered at what he considered Geisel's double dealing and he also refused to perform the ceremony.

The Rev. Dr. Conover was asked to tie the knot, but he pleaded that he was busy. According to Geisel a neighbor told him that the rector advised all of his brother clergymen not to perform the ceremony. Geisel says that he called Dr. Conover on the telephone and denounced him, daring him to come and meet him man to man. The rector did come to see him on Friday morning, Geisel says, and was introduced to Miss Turner by Mrs. Pfadenhauer, at whose home the couple were called. Dr. Conover could shake hands with the young woman Geisel says he rushed into the room, pushed the rector against the wall and asked him how he dared to refuse to marry them.

"Do you know this man's brother or his mother?" Geisel says the rector asked Miss Turner.

"No, I don't," Geisel says she replied, "but I know him and love him, and that's enough."

Then Dr. Conover left and the man and woman who would not wed stood together. They were out of the ceremony indefinitely so that Geisel might devote all his energies to running Dr. Conover out of the ministry.

The Rev. George M. Geisel said last night in his brother's hearing that the family had always respected Dr. Conover and they, as well as many others of his friends, were looking forward to his being their next Bishop. "He probably had good and sufficient reasons for not marrying my brother," the Rev. Mr. Geisel said. My brother poses as a practical man. Theodore Geisel continued himself as a Bishop, but he has never been ordained."

When asked as to his brother's sanity he said that he had examined him and he said that he was normal. "He is simply cunning and spiteful," the older brother said, "and what's more, my mother and I have supported him for some years."

Geisel said that he had often spoken of himself as a Bishop, but he has never been ordained. He said that he had worked as a street car conductor and as a day driver at various times.

Mr. Pfadenhauer says he believes that Theodore Geisel is a man of brilliant mind and has invented a device by which he expects to be able to increase the power of light bulbs three times without increase in power consumption.

The postal cards sent out by Geisel said that in the same way he was advising a practical man in Bernardsville and Basking Ridge of his intentions toward Dr. Conover.

Postmaster Allen of Basking Ridge said last night that he realized what their import was, and he also confirmed the report that Geisel was the man who was going to run Dr. Conover out of the ministry. He said that at that time he solicited \$1 each from certain people who he knew had lost friends and relatives telling him that the departed would be numbered among the angelic architects. The scheme came to naught.

Geisel, who is about 28 years old, says he was born in New York and that he went with his mother and brother to the rectory at Basking Ridge two years ago. He says he worked in one of the Edison laboratories for three years and since then, although he hasn't done actual labor, he has delved into electricity and astronomy in his den at the rectory.

He mentioned a book he had written, "Practical New Astronomy," and it was that, Mr. Pfadenhauer says, as well as a treatise on love entitled "Cupid's Bow," published in some of the Western newspapers, that first attracted Miss Turner to him.

Geisel said that his prospective bride is a wealthy woman, owning several houses built on real estate in the Bronx City. He met her, he says, fifteen months ago, "through mutual friends and in a conventional way in New York city."

He gave her age as 38. The marriage license, dated August 31, recorded her as Ann Catherine Turner of Franklin Grove, Leigh county, Illinois.

PUBLIC PAYS THE FREIGHT.
Atlantic Steamship Lines Raising Tolls as a Result of Strikes.

Special Cable Despatches to THE SUN.
LIVERPOOL, Sept. 7.—As a result of the recent strikes which compelled the companies to increase wages all around the transatlantic steamship lines have decided to increase freight rates 10 per cent. after September 11.

GUN CARRYING BOY FREED.
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CHINESE RIOT IN SZECHUAN

ENGLISH AND AMERICAN WOMEN SENT AWAY FOR SAFETY.

U. S. Admiral Ordered to Have Gunboats Ready—British, French and German War Vessels Sent Up the Yangtze—Trouble Over Peking Railway Plans.

Special Cable Despatches to THE SUN.
PEKING, Sept. 7.—The situation in the Szechuan province is critical. Foreigners are congregating in the Canadian Methodist building in Chengtu.

There are about 100 Americans living in the neighborhood of the uprising. A British river gunboat is proceeding to Kiating fu.

LONDON, Sept. 8.—A despatch to the Times from Peking, though confirming the situation in Szechuan, says there is no reason yet for anxiety. The agitation is not against foreigners and there has been no violence. The British gunboat Widgeon will anchor at Kiating fu, below Chengtu, and foreigners will be permitted to seek shelter on board should they find it necessary.

The Viceroy has advised foreigners to assemble at the Canadian mission compound in Chengtu and those in the country to enter the towns. There are seventy Americans, the Times says, in the neighborhood of Chengtu.

WASHINGTON, Sept. 7.—A critical situation has arisen in the province of Szechuan, China, where disturbances were reported on September 3. The agitation at first was confined to public meetings, closing of shops and refusal to pay taxes. So serious has the situation now become that the American and British women in the vicinity have been withdrawn to places of safety.

The State Department on receiving the news to-day promptly instructed the United States legation at Peking to communicate with Rear Admiral Murdock, in command of the Saratoga, at Woosung and advise him to dispose the American gunboats in his squadron in the way best calculated to forestall possible danger to American interests. In addition to the flagship Saratoga, Admiral Murdock has the New Orleans within easy call at Shanghai and two or three gunboats in the Yangtze River.

In a statement issued to-night accounting for the uprising the State Department says:

"Recently an imperial edict was issued placing under the Ministry of Communications of the central Government the construction of all trunk lines throughout the empire and cancelling all concessions for the private construction of trunk lines previous to the year 1911. This measure affected the line which was being built by Chinese private enterprise in the province of Szechuan and has doubtless precipitated the present manifestations in a province always considered more than ordinarily turbulent, one where reactionary tendencies, the cry of 'China for the Chinese' and a certain amount of anti-foreign tendency have made local appreciation of the economic and progressive measures of reform and industrial development introduced by the central Government more slow to be appreciated and understood than in other parts of China."

"There is no reason whatever to attribute the present uprising to the recent railway projects in which the United States is interested. In fact those railways as now planned and under present concessions lie wholly outside of the province of Szechuan, the question of ultimate extension into that province having not yet been settled for possible future consideration."

Information of the uprising came to the State Department from Mr. Williams, the Charge d'Affaires at Peking, who telegraphed to-day that the situation in the province of Szechuan, where serious disorders were occurring on the 3d inst., had now become critical. At first the agitation was confined to public meetings in various cities, accompanied by the closing of shops and schools and the refusal to pay taxes. The Charge d'Affaires was urged to make it his duty to inform the American missionaries at Chungking and Chentu and that he is informed by those missionaries that none of them has yet left. Only American and British ladies have left Chentu for Chungking. Twenty-one districts are said to be affected by the present agitation. Tax offices have been destroyed and several officials have resigned, but resistance to the Government has in general been passive rather than active."

"The Chinese Foreign Office has assured the legation," says the statement issued by the State Department to-night, "that protection will be given all foreigners and their property and has offered escort to all who desire to leave the disturbed districts. The Viceroy of Szechuan is said to be acting with energy. A British gunboat is now proceeding to Chiating, while French and German gunboats are at Chungking. The Department has sent telegraphic instructions to Mr. Pontius of the consular service to proceed at once from Hankow to Chungking. The distance from Chentu to Chungking, where there are no new gunboats, requires a ten days journey, while Chentu is four days journey from Chiating, to which place a British gunboat is now proceeding."

SCARE AGAIN IN PORTUGAL.
12,000 Government Troops Massed to Encounter Royalists.

Special Cable Despatches to THE SUN.
LISBON, Sept. 7.—The alarm over a probable monarchist invasion from the north continues. It is announced to-day that 12,000 Government troops now occupy strategic positions on the northern frontier. Two cruisers are being hurriedly prepared for duty on the coast.

ORFOTO, Sept. 7.—It is estimated that the armed strength of the Portuguese monarchists on the frontier is 1,200 men.

DROP IN BRITISH TRADE.
Exports and Imports Fell Seriously in Month of Atlantic Strike.

Special Cable Despatches to THE SUN.
LONDON, Sept. 7.—The Board of Trade returns for August show a decrease in the value of imports for that month of £1,413,314, or \$7,085,570. The exports for the same period show a decrease of £2,558,183, or \$12,750,915, as compared with the preceding month.

From the By-Ways of Europe

NOT in the busy high-ways of the great cities of Europe, but in the slumberous by-ways and the remoter towns and villages are to be gleaned the trifles, quaint and unusual, which add significance to the furnishing of the Room.

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CHOLERA AND MUTINY.

Leaders Among Turkish Troops to Be Shot—Roman Pilgrimage Stopped.

Special Cable Despatches to THE SUN.

CONSTANTINOPLE, Sept. 7.—Thirty-nine cases of cholera with twenty-one deaths have been reported here. The War Office has ordered the court-martial of the officer and doctors who were on board a militia train between Prishina and Salonica.

It is reported that a score of soldiers were thrown from the train windows and were allowed to die in agony after lying hours on the ground. Their comrades who threw them from the windows were terrified by the display of the symptoms of the disease and feared infection.

Cholera continues to spread among the troops who have recently returned from Albania. Three battalions of Anatolian troops were quarantined at Mitrovitz because of the prevalence of the disease and those demanded that they be sent home.

When this was refused they mutinied and seized a train, on which they proposed to get away. Loyal troops suppressed the mutiny and the leaders will be put to death.

Several suspicious cases of illness, believed to be cholera